

HOUSE BILL 724

By Hulsey

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 10 and Title 38, Chapter 8, relative to
constables.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 8-10-102(b), is amended by deleting subdivision (b)(1) and substituting:

(1) Except as provided in subdivision (b)(2), a person seeking the office of constable shall file with the county election commission, along with the nominating petition:

(A) An affidavit signed by the candidate affirming that the candidate meets the requirements of this section. In the event that the candidate seeks election to the office of constable by the county legislative body to fill a vacancy in office, the same affidavit must be filed with the county clerk prior to the election; and

(B) A letter from a psychologist licensed in this state who has conducted a cognitive and psychological test on the candidate to determine whether the candidate is mentally and cognitively fit to perform the duties of a constable. In the event that the candidate seeks election to the office of constable by the county legislative body to fill a vacancy in office, the same letter must be filed with the county clerk prior to the election. A constable in office prior to July 1, 2023, is not required to submit the letter required by this subdivision (b)(1)(B) unless and until the constable runs for reelection after such date. Candidates are responsible for covering the costs of testing required by this subdivision (b)(1)(B).

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.